

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

IN RE: CAPITAL ONE CONSUMER)
DATA SECURITY BREACH LITIGATION) MDL No. 1:19md2915 (AJT/JFA)

ORDER

This matter is currently before the Court on Plaintiffs' Motion to File Under Seal (Dkt. No. 2099) filed in conjunction with Plaintiffs' Memorandum in Support of Plaintiffs' Motion to Compel Response to Plaintiffs' Interrogatory No. 22 to AWS ("Memorandum"). The Motion to Seal was filed on November 5, 2021, along with a Notice of Filing under Seal. (See Dkt. No. 2102.) A memorandum in support of the Motion to File Under Seal was also filed with the Motion to File Under Seal, indicating that certain materials were being filed under seal that were designated as confidential under the provisions of the Amended Stipulated Protective Order. (See Dkt. No. 2100.) On November 12, 2021, Defendants, Amazon.com, Inc., and Amazon Web Services, Inc. (together, "Amazon"), filed a Memorandum in Support of Plaintiffs' Motion to File Under Seal. (Docket No. 2121). CAPITAL ONE ALSO FILED A MEMORANDUM IN SUPPORT. (Docket No. 2126). NO OPPOSITION HAS BEEN FILED TO THIS REQUEST.

The Motion to File Under Seal seeks to seal information designated as "Confidential,"

"Confidential – Outside Counsel Only," or "Confidential – Outside Counsel Only – Security Sensitive" pursuant to the Amended Stipulated Protective Order (Dkt. 368); or documents that make specific reference to or quote from such materials. Having reviewed the redacted portions of the Memorandum and Exhibits D–K, O, Q, and T filed under seal by Plaintiffs pursuant to the Amended Stipulated Protective Order and Local Civil Rule 5(C), and upon consideration of the pleadings filed herein and the applicable standards as set forth by the Fourth Circuit in *Ashcraft v. Conoco, Inc.*, 218 F.3d 282, 288 (4th Cir. 2000), the Court finds that the parties have

shown a sufficient basis for sealing certain designated portions of the Memorandum and Exhibits D–K, O, and Q–V at this time. By granting this motion to seal, the undersigned is not making a determination that this information will remain under seal and will not be disclosed to the public at the trial before the District Judge.

For the reasons stated above, the Motion to File Under Seal is **GRANTED**; and it is further **ORDERED** that Exhibits D, E, F, G, H, I, J, K, O, Q, T, and the designated portions of the Memorandum (Dkt. 2097) shall remain under seal at this time.

Entered this 22nd day of November 2021.

/s/ [Signature]
John F. Anderson
Hon. John F. Anderson
United States Magistrate Judge
United States Magistrate Judge